

REMARKS

Applicants respectfully traverse and request reconsideration.

Claims 1-3 and 8 stand rejected under 35 U.S.C. §102(b) as being anticipated by German Patent No. DE1580269 (Linke et al.). Linke is directed to a divider net for partitioning the loading space of a road vehicle. Linke is not directed to a barrier net and would not be suitable for use in a fuselage of an aircraft. In addition, the net of Linke, despite the net mesh being in a diamond shape, is only attached at the corners. As such, a load would still be applied to the corner attachment points.

In contrast, as to claim 1, for example, the amended claim requires, among other things, that a second plurality of parallel lengths oriented in a second direction wherein each of the lengths has fastening means at each end provide a means for fastening the net to attachment points on the aircraft fuselage and wherein neither of the first nor the second plurality of lengths is parallel to the floor of the aircraft. For example, Applicants' claimed barrier net enables a more efficient load distribution. The net of Linke does not have fastening means provided at each end of the first and second plurality of lengths. Linke teaches that the sidewalls of the vehicles are provided with continuous top and bottom straps (2, 3) which have evenly distributed recesses for holding fastening pieces of an elastic net. Consequently, the net in Linke is only attached to the vehicle at the top and bottom corners. (See e.g., pages 2, lines 1-11 of Linke translation).

As such, regardless of the shape of the net mesh of Linke, the load is still applied to the same corner attachment points. Applicants claim a different structure and net and as such, Applicants respectfully submit that the claims are in condition for allowance.

The dependent claims add additional novel and non-obvious subject matter.

Claims 4, 5, and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Linke in view of U.S. Patent No. 6,123,294 (Genovese). As noted above, since claim 1 is allowable, the dependent claims are also allowable. The dependent claims also add additional novel and non-obvious subject matter.

Also, Applicants respectfully submit that there would be no motivation for one of ordinary skill in the art to combine the teachings of Linke with those of Genovese. Although the net disclosed in Linke has a diamond shape, there is no teaching or suggestion of any advantage which this provides and would appear to be an arbitrary choice. Furthermore, the net in Linke is intended to be installed as a partition in a road vehicle and not as a barrier net in the fuselage of an aircraft. One of ordinary skill in the art would not look to combine the disclosure of Linke and Genovese as they are in different fields and there is no indication that the combination would have any beneficial properties.

Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Linke in view of Genovese and further in view of Bayon. Applicants respectfully reassert the relevant remarks made above with respect to claim 1 and as such, this claim is also in condition for allowance.


Claims 9 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Linke in view of Parish et al. Applicants respectfully reassert the relevant remarks made above with respect to claim 1 and as such, these claims are also in condition for allowance.

Claims 11-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Linke in view of Del Mar. Applicants respectfully reassert the relevant remarks made above with respect to claim 1 and as such, these claims are also in condition for allowance.

Applicants respectfully submit that the claims are in condition for allowance and respectfully request that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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